



Roll Call Number

Agenda Item Number

39A

Date August 18, 2025

An Ordinance entitled, "AN ORDINANCE vacating multiple segments of street and alley right-of-way in the vicinity of 201 SE 7th Street for City storm water and park improvements,"

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

Second by _____.

FORM APPROVED:

(First of three required readings)

/s/ Grant Hyland

Grant Hyland

Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COELMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED		APPROVED		

CERTIFICATE

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

39A

Prepared by: Grant Hyland, Assistant City Attorney, PO Box 224, Des Moines, Iowa 50306-0224, (515) 283-4130
Return to: City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, IA 50309-1891

ORDINANCE NO. _____

AN ORDINANCE vacating multiple segments of street and alley right-of-way in the vicinity of 201 SE 7th Street for City storm water and park improvements.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, it is desirable that the public right-of-way herein described be vacated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That multiple segments of street and alley right-of-way in the vicinity of 201 SE 7th Street, more specifically described as follows, be and is hereby vacated.

ALL THAT PART OF SOUTHEAST 8TH STREET RIGHT OF WAY LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH RIGHT OF WAY LINE OF THE VACATED EAST/WEST ALLEY IN BLOCK 19 OF TOWN OF DE MOINE, AN OFFICIAL PLAT, AND LYING SOUTH OF A LINE BEGINNING AT A POINT ON THE EAST LINE OF THE OFFICIAL PLAT OF LOTS 1, 2, 9 AND 10, BLOCK 20, TOWN OF DE MOINE, SAID POINT BEING ON SAID EAST LINE, A DISTANCE OF 56.78 FEET NORTH OF AND ALONG SAID LINE FROM THE SOUTHWEST CORNER OF LOT 10 IN SAID OFFICIAL PLAT OF LOTS 1, 2, 9 AND 10, BLOCK 20, TOWN OF DE MOINE; THENCE RUNNING WESTERLY ALONG A STRAIGHT LINE TO THE NORTHEAST CORNER OF PARCEL A, SAID PARCEL A BEING SHOWN ON PLAT OF SURVEY RECORDED IN BOOK 12596 AND PAGE 321 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA,

AND

ALL THAT PART OF THE EAST/WEST ALLEY RIGHT OF WAY LYING NORTH OF AND ADJOINING LOTS 3 THROUGH 8 IN BLOCK 20 OF SAID TOWN OF DE MOINE AND LYING EAST OF THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 3 AND LYING WESTERLY FOLLOWING DESCRIBED LINE: COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE

OF THE EAST/WEST ALLEY IN SAID BLOCK 20 AND THE EAST RIGHT OF WAY LINE OF THE NORTH/SOUTH ALLEY IN SAID OFFICIAL PLAT OF LOTS 1, 2, 9 AND 10, BLOCK 20, TOWN OF DE MOINE; THENCE NORTH ALONG THE EAST LINE OF SAID NORTH/SOUTH ALLEY, A DISTANCE OF 17.07 FEET; THENCE EASTERLY ALONG A LINE HAVING A BEARING OF NORTH 88°42'34" EAST, TO A POINT ON SAID NORTH RIGHT OF WAY LINE OF THE EAST/WEST ALLEY IN SAID BLOCK 20 AND TO THE BEGINNING OF SAID LINE; THENCE EASTERLY ALONG A STRAIGHT LINE TO THE NORTHEAST CORNER OF SAID LOT 8 AND THE END OF SAID LINE, -EXCEPT THE AREA DEEDED BY THE CITY OF DES MOINES, IOWA, SAID AREA BEING RECORDED IN BOOK 3982 PAGE 129 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA-,

AND

ALL THAT PART OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN SAID OFFICIAL PLAT OF LOTS 1, 2, 9 AND 10, BLOCK 20, TOWN OF DE MOINE LYING NORTH OF THE EAST/WEST ALLEY IN SAID BLOCK 20 AND LYING SOUTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF THE EAST/WEST ALLEY IN SAID BLOCK 20 AND THE EAST RIGHT OF WAY LINE OF THE NORTH/SOUTH ALLEY IN SAID OFFICIAL PLAT OF LOTS 1, 2, 9 AND 10, BLOCK 20, TOWN OF DE MOINE; THENCE NORTH ALONG THE EAST LINE OF SAID NORTH/SOUTH ALLEY IN SAID OFFICIAL PLAT OF LOTS 1, 2, 9 AND 10, BLOCK 20, TOWN OF DE MOINE, A DISTANCE OF 17.07 FEET TO THE BEGINNING OF SAID LINE; THENCE WESTERLY TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID NORTH/SOUTH ALLEY RIGHT OF WAY, SAID POINT BEING 21.70 FEET NORTH OF THE NORTH RIGHT OF WAY LINE OF THE EAST/WEST ALLEY IN SAID BLOCK 20, SAID POINT BEING THE END OF SAID LINE,

AND

ALL OF THE EAST MARKET STREET RIGHT OF WAY LYING EASTERLY OF THE EAST RIGHT OF WAY LINE OF SOUTHEAST 7TH STREET AND LYING WESTERLY OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 15 IN THE OFFICIAL PLAT OF LOTS 3 THROUGH 8, BLOCK 22, TOWN OF DE MOINE, -EXCEPT THE NORTH 35 FEET OF EAST MARKET STREET RIGHT OF WAY LYING SOUTH OF AND ADJOINING EAST 60 FEET OF THE WEST 90 FEET OF BLOCK 19 IN SAID TOWN OF DE MOINE-,

AND

ALL THAT PART OF THE SOUTHEAST 8TH STREET RIGHT OF WAY LYING EAST OF AND ADJOINING LOT 9 IN SAID BLOCK 19, -EXCEPT THE AREA DEEDED BY THE CITY OF DES MOINES, IOWA, SAID DEED WAS RECORDED IN BOOK 3982 PAGE 129 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA-,

AND

ALL THAT PART OF THE SOUTHEAST 9TH STREET RIGHT OF WAY LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF EAST MARKET STREET AND LYING SOUTH OF A LINE RUNNING FROM THE NORTHEAST CORNER OF LOT 8 IN SAID BLOCK 20 TO THE NORTHWEST CORNER OF LOT 12 IN THE OFFICIAL PLAT OF LOTS 2 THROUGH 8, BLOCK 21, TOWN OF DE MOINE,

AND

ALL OF THE SOUTHEAST 10TH STREET RIGHT OF WAY LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF EAST MARKET STREET AND LYING SOUTH OF A LINE RUNNING FROM THE NORTHEAST CORNER OF LOT 17 IN SAID OFFICIAL PLAT OF LOTS 2 THROUGH 8, BLOCK 21, TOWN OF DE MOINE, TO THE NORTHWEST CORNER OF LOT 14 IN SAID OFFICIAL PLAT OF LOTS 3 THROUGH 8, BLOCK 22, TOWN OF DE MOINE,

AND

ALL OF THE SOUTHEAST 10TH STREET RIGHT OF WAY LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF EAST MARKET STREET AND LYING NORTH OF A LINE RUNNING FROM THE NORTHEAST CORNER OF LOT 11 OF THE OFFICIAL PLAT OF LOTS 5 AND 6, BLOCK 26, TOWN OF DE MOINE, TO THE NORTHWEST CORNER OF LOT 13 IN THE OFFICIAL PLAT OF LOTS 5 THROUGH 10, BLOCK 25, TOWN OF DE MOINE,

AND

ALL OF SOUTHEAST 11TH STREET RIGHT LYING BETWEEN THE SOUTH RIGHT OF WAY LINE OF EAST MARKET STREET AND THE NORTH RIGHT OF WAY EAST ELM STREET, ALL IN SAID TOWN OF DE MOINE,

AND

ALL OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK 24 OF SAID TOWN OF DE MOINES,

AND

ALL OF THE EAST/WEST ALLEY RIGHT OF WAY IN SAID BLOCK 24,

AND

ALL THAT PART OF SOUTHEAST 12TH STREET RIGHT OF WAY LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF EAST ELM STREET AND LYING SOUTH OF A LINE DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE OFFICIAL PLAT OF LOT 5 THROUGH 10, BLOCK 24, TOWN OF DE MOINE; THENCE NORTH ALONG THE EAST LINE OF SAID OFFICIAL PLAT OF LOT 5 THROUGH 10, BLOCK 24, TOWN OF DE MOINE, A DISTANCE OF 75.81 FEET TO THE BEGINNING OF SAID LINE; THENCE EASTERLY ALONG A LINE HAVING THE BEARING OF NORTH 88°47'59" EAST, TO THE EAST RIGHT OF WAY LINE OF SOUTHEAST 12TH STREET AND THE END OF SAID LINE, ALL IN TOWN OF DE MOINE,

AND

ALL OF THE EAST ELM STREET RIGHT OF WAY LYING EAST OF THE EAST RIGHT OF WAY LINE OF SOUTHEAST 7TH STREET AND LYING WEST OF THE EAST RIGHT OF WAY LINE OF SOUTHEAST 12TH STREET, **-EXCEPT** THE SOUTH 20 FEET OF THE VACATED EAST ELM STREET RIGHT OF WAY LYING EAST OF THE EAST RIGHT OF WAY LINE OF SOUTHEAST 9TH STREET AND LYING WEST OF THE EAST RIGHT OF WAY LINE OF SOUTHEAST 12TH STREET (SAID SOUTH 20 FEET VACATED BY ORDINANCE 3571 ON AUGUST 3RD, 1925), ALL IN SAID TOWN OF DE MOINE,

ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

/s/ Grant Hyland

Grant Hyland
Assistant City Attorney

EXHIBIT A
SHT 1 OF 5

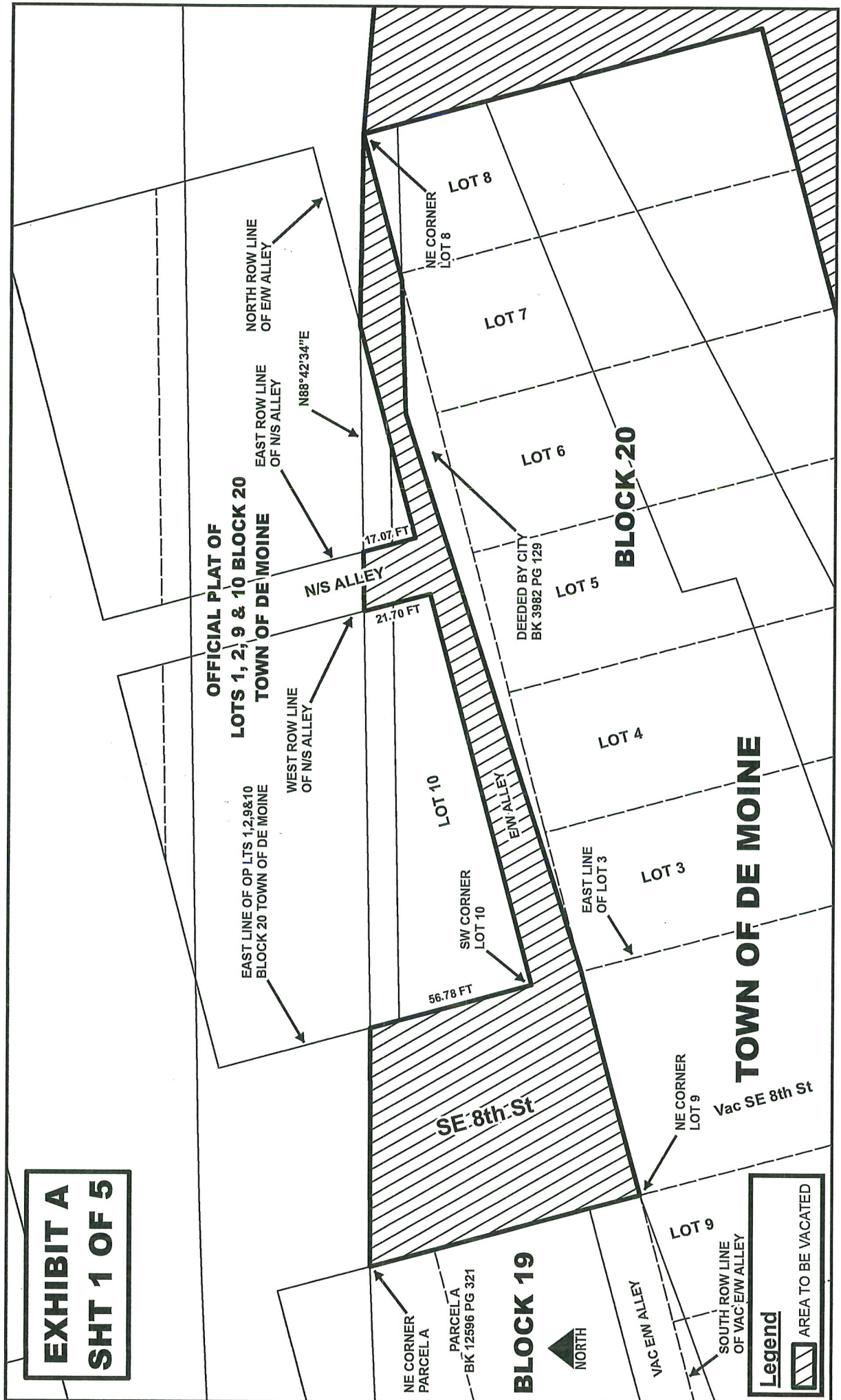
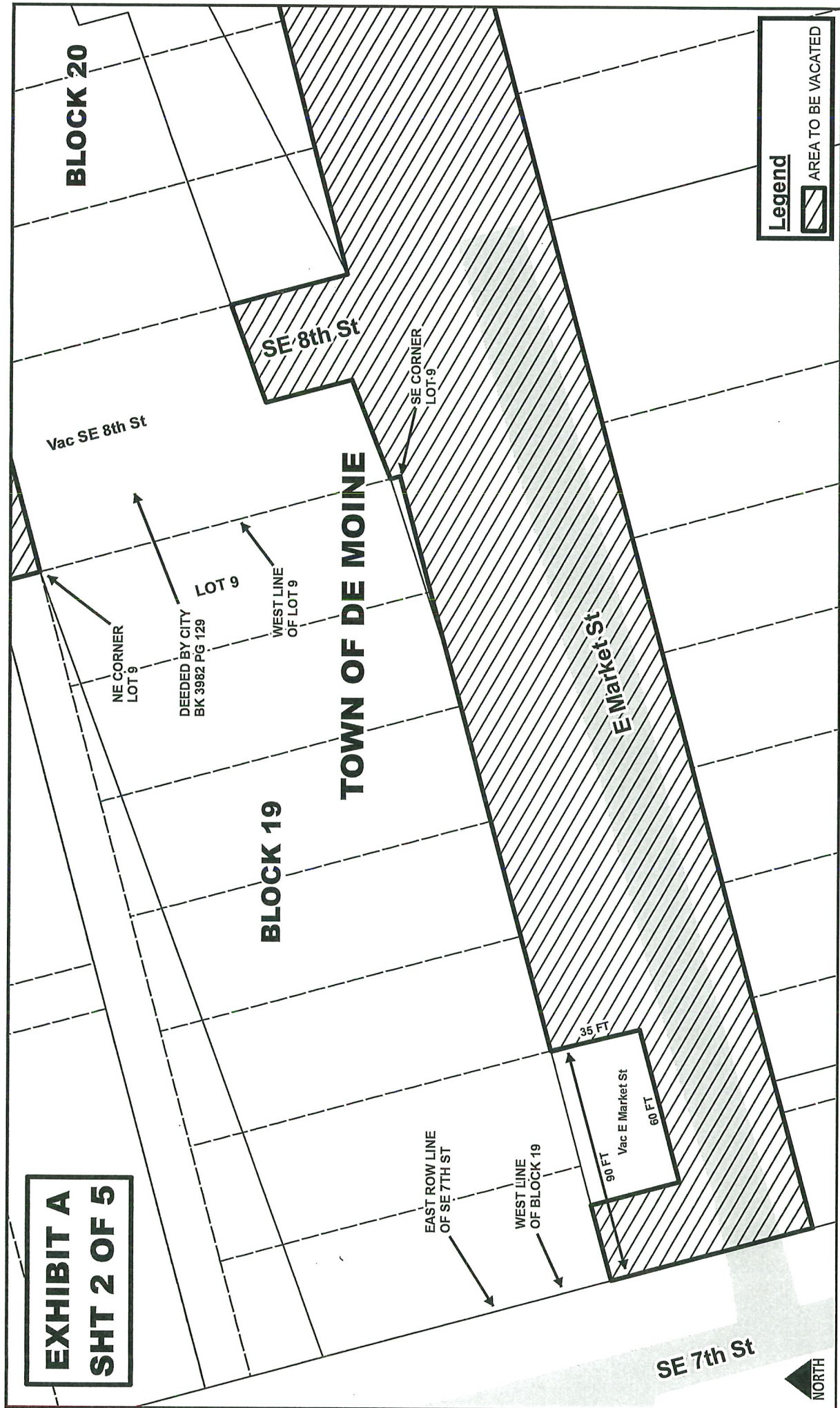


EXHIBIT A
SHT 2 OF 5



BLOCK 20

SE 8th St

Vac SE 8th St

NE CORNER
LOT 9

DEEDED BY CITY
BK 3982 PG 129

LOT 9

WEST LINE
OF LOT 9

SE CORNER
LOT 9

TOWN OF DE MOINES

BLOCK 19

E Market St

EAST ROW LINE
OF SE 7TH ST

WEST LINE
OF BLOCK 19

35 FT

90 FT
Vac E Market St

60 FT

SE 7th St

Legend

AREA TO BE VACATED

NORTH

**EXHIBIT A
SHT 3 OF 5**

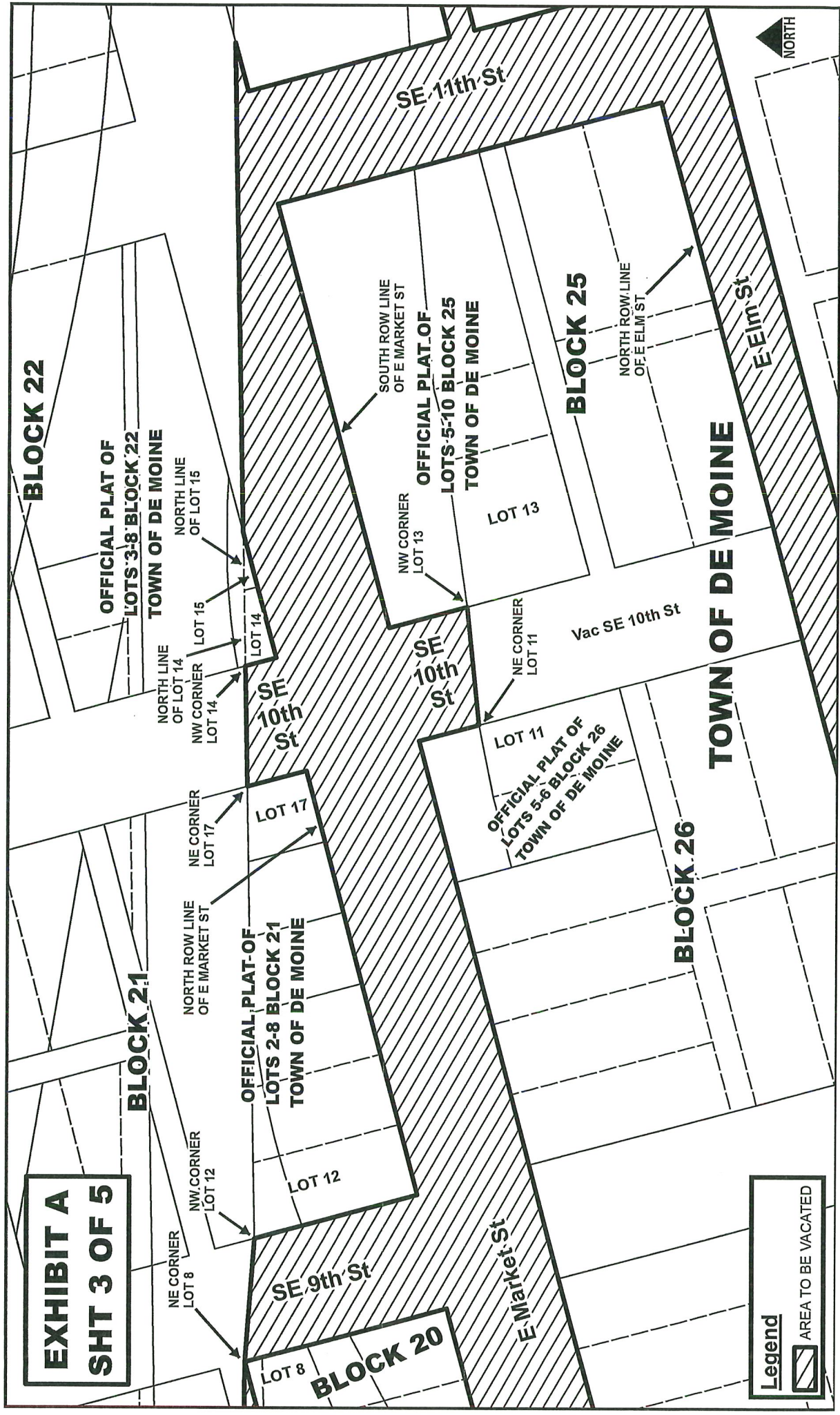


EXHIBIT A
SHT 4 OF 5

